

UNITED STATES DISTRICT COURT
for the
Southern District of Ohio

United States of America)

v.)

Ruben Rodriguez Jr.)

) Case No. 2:19-MJ-123

)

)

)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 02/09/2019 - 02/12/2019 in the county of Franklin in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

Title 21 USC Section 846

Conspiracy to possess with intent to distribute more than 1 kilogram of
heroin.

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

Complainant's signature

Ryan Marvich, Special Agent HSI

Printed name and title



Elizabeth Preston-Deavers, U.S. Magistrate Judge

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/13/2019

City and state: Columbus, Ohio

AFFIDAVIT

I, Ryan Marvich, being duly sworn, state:

INTRODUCTION

1. Your Affiant is a sworn Special Agent with the United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). Your Affiant has been a Special Agent within DHS since the Department's creation in May 2003. Your Affiant has been assigned to the HSI Columbus office since February 2008, where your Affiant has been involved with narcotics investigations. Prior to becoming a Special Agent with HSI, your Affiant served as an Officer with the United States Secret Service, Uniformed Division beginning in January 1998. In June 1999, your Affiant accepted a position as a Special Agent with the United States Secret Service. In May 2003, your Affiant transferred employment to become a Special Agent with the United States Customs Service (USCS). In 2003, under the creation of the Department of Homeland Security, various components, including criminal investigators/special agents, with the USCS were merged with components, including criminal investigators/special agents, from the United States Immigration and Naturalization Service (INS) and formed U.S. Immigration and Customs Enforcement (ICE). Since then, criminal investigators/special agents and all related investigative functions of ICE have been moved into Homeland Security Investigations (HSI) within ICE.
2. Your Affiant has participated in and conducted numerous investigations of violations of various state and federal criminal laws, including the unlawful possession with intent to distribute controlled substances in violation of Title 21, United States Code. These investigations have resulted in arrests of individuals who have possessed with the intent to distribute marijuana, cocaine, heroin, and methamphetamines as well as other controlled substances. These various investigations have also resulted in seizures of illegal drugs and proceeds from the distribution of those illegal drugs.

3. Your Affiant is familiar with the operation of illegal drug trafficking organizations in central Ohio.

PURPOSE OF AFFIDAVIT

4. I am participating in an investigation concerning an organized group of individuals, including Ruben Rodriguez Jr. and other unknown individuals who are suspected of conspiracy to possess with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841 and 846.
5. The information set forth in this affidavit is based upon my knowledge, training, experience, and participation in investigations involving the smuggling, possession, distribution, and storage of narcotics and narcotics proceeds. This information is also based on the knowledge, training, experience, and investigations conducted by fellow law enforcement officers, who have reported to me either directly or indirectly. I believe this information to be true and reliable. I know it is a violation of 21 U.S.C. § 846 for any person to conspire to possess with the intent to distribute a controlled substance.
6. The information contained in this affidavit is based upon my personal participation in this investigation, that of other agents and detectives assisting in this investigation, and my review of records, documents, and other information relating to this investigation.
7. Because this affidavit is being submitted for the limited purpose of securing criminal complaints and arrest warrants, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Ruben Rodriguez Jr. has violated 21 U.S.C. §§ 841 and 846.

FACTS ESTABLISHING PROBABLE CAUSE

8. On February 11, 2019, while conducting routine surveillance for drug trafficking activity at the Red Roof Inn located at 4530 West Broad Street, Columbus, investigators observed a silver Ford Fusion bearing Texas license plate KZB9897. Upon running this license plate in law enforcement databases, investigators learned that this vehicle was registered to a Michael Rene Ponce, 108 Little Pool Road, Buda, Texas. Investigators also learned

that Ponce was arrested in March 2008 in Austin, Texas on federal charges of conspiracy to possess with the intent to distribute heroin. Ponce was subsequently convicted on this charge and was sentenced to 57 months in federal prison. The law enforcement databases also showed no connections to Ponce and any individuals in Ohio.

9. On February 11, 2019, investigators learned that the individuals currently using the silver Ford Fusion were staying in room 309. These individuals, a man (later identified as Ruben Rodriguez Jr.) and a woman (later identified as Beslin Peraza), checked in on February 9, 2019 and were due to checkout that day, February 11, 2019. Investigators learned that when they checked into the hotel, they provide the name Beslin Peraza with no additional identifiers provided. They did tell hotel staff that they were from Mexico.
10. On February 11, 2019, at approximately 11:15am, investigators conducted surveillance on Rodriguez and Peraza as they checked out of the hotel and departed the area. Over the next few hours, investigators continued surveillance as these individuals ate lunch at an area restaurant, shopped at a Walmart and then went to see a movie at a local movie theater. It was apparent to investigators that these individuals were making attempts to "kill time" which is indicative to investigators as drug activity, specifically awaiting delivery of possible drug proceeds. While Rodriguez and Peraza were inside the local Walmart, a Franklin County Sheriff's Office canine gave a positive alert to the presence of narcotics inside the silver Ford Fusion.
11. It was later learned that these individuals checked into a La Quinta Inn and Suites located on 5510 Trabue Road, Columbus, Ohio for the night of February 11 through February 12, 2019. During the late morning hours on February 12, 2019, the occupants extended their stay at this hotel through February 13, 2019. When they checked into this hotel they provided a different name, Marjorie Beslin, with no other identifiers being provided. They also told hotel staff that they were from El Salvador.
12. On February 12, 2019, at approximately 7:00pm, Rodriguez and Peraza checked out of the La Quinta hotel. Rodriguez and Peraza were observed traveling to a residence located at 121 Stevens Avenue, Columbus. Upon arriving at his residence, Rodriguez was observed entering this residence where he remained for approximately 10 minutes.
13. On February 12, 2019, a deputy with the Franklin County Sheriff's Office (FCSO) conducted a traffic stop on the silver Ford Fusion occupied by Rodriguez and Peraza.

During the stop a FCSO canine gave a positive alert to the presence of narcotics inside the silver Ford Fusion. During a subsequent search of the vehicle, approximately 2.0 kilograms of cocaine were discovered in a black plastic bag on the floor of the front passenger seat (a subsequent field test resulted in a positive indication for cocaine).

Additionally, a large amount of U.S. Currency was located in a box next to the cocaine.

14. In a subsequent post-Miranda interview of Ruben Rodriguez Jr., Rodriguez admitted that he was in Columbus for the purpose of overseeing the arrival of cocaine and heroin that was being sent via the mail to individuals in Columbus. Specifically, Rodriguez admitted that the cocaine in his car had been sent to individuals at 121 Stevens Avenue, Columbus approximately 1-2 weeks ago and Rodriguez was in Columbus at that time to make sure these individuals received this cocaine. After they received this cocaine he went back to Texas. A short time later Rodriguez learned that these individuals were not happy with the quality of the cocaine, so Rodriguez was sent back up to Columbus. When he arrived this time in Columbus, around February 9, 2019, he was directed by his boss in Mexico to retrieve the cocaine that was already delivered and to oversee the arrival of approximately 2 kilograms of heroin that was arriving via the mail. According to Rodriguez, that is why he had just stopped at 121 Stevens Avenue. When he was inside the residence located at 121 Stevens he stated that he saw the 2 kilograms of heroin that was sent, at which time the individuals at this residence paid him approximately \$30,000-\$40,000 for this heroin. According to Rodriguez, that was the money that investigators found inside his vehicle. Rodriguez stated that he was paid \$2,500 for making the first trip to Columbus and was to be paid \$5,000 for this current trip. Rodriguez stated that his girlfriend Beslin Peraza knew what he was doing but that she wasn't involved with the drugs.

CONCLUSION

15. Based on the foregoing facts, your Affiant believes that there is there is probable cause to believe that Ruben Rodriguez Jr. has violated 21 U.S.C. §§ 841 and 846, conspiracy to possess with intent to distribute 1 kilogram or more of heroin. Accordingly, your Affiant requests the issuance of a criminal complaint and arrest warrant for Ruben Rodriguez Jr.

Special Agent Ryan Marvich
Homeland Security Investigations

Subscribed and sworn to before me this 13th day of February, 2019.

Elizabeth R. Rustin Dabbs

Elizabeth Preston-Deavers
United States Magistrate Judge

